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7 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**  
8 **OF THE STATE OF WASHINGTON**

9 In the Matter of Enforcement Action  
10 Against

11 Patricia Davis,

Respondent.

NO. 06-279

STIPULATION AS TO FACTS,  
VIOLATIONS AND PENALTY

12 The parties hereto, the Public Disclosure Commission Staff, appearing through its  
13 attorney of record, LINDA A. DALTON, Senior Assistant Attorney General, and the  
14 Respondent, PATRICIA DAVIS, appearing through her attorney of record, SUZANNE  
15 THOMAS, and submit this Stipulation as to Facts, Violations and Penalty in this matter.

16 **I. JURISDICTION**

- 17 1. The Public Disclosure Commission has jurisdiction over this proceeding pursuant to  
18 Chapter 42.17 RCW, the Public Disclosure Act; Chapter 34.05 RCW, the Administrative  
19 Procedure Act; and Title 390 WAC.

20 **II. FACTS**

- 21 2. Patricia Davis was a candidate for Port of Seattle Commissioner for the 2001 election year.  
22 3. The primary election was on September 18, 2001 and the general election was on  
23 November 6, 2001.  
24 4. Ms. Davis selected the full reporting option which requires frequent and detailed reports of  
25 contribution and expenditure activities.  
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• Late Filings

5. For her 2001 campaign, Ms. Davis had a paid campaign treasurer, Denton Kiehle.
6. Mr. Kiehle admitted that various personal challenges he faced in 2001 interfered with his ability to timely file campaign reports on behalf of Ms. Davis.
7. Ms. Davis was unaware of the late filings until she received a copy of the citizen action notice.
8. When Ms. Davis was notified of the late filings for 2001, and similar issues in 2005, she replaced Mr. Kiehle as her treasurer.
9. The following is a summary of Ms. Davis' required reports that were not timely filed, the date they were due, the date they were filed, the number of days they were late, and the amount of money not reported timely:

Report Title	Due Date	Date Filed	Days Late	Amount of Contributions and/or Expenditures
May C-4	6/7/01	6/15/01	8	(C) \$7,470 (E) \$7,544
C-3	7/10/01	7/16/01	6	(C) \$3,232
June C-4	7/10/01	7/16/01	6	(C) \$15,178 (E) \$4,201
C-3	7/13/01	7/24/01	11	(C) \$5,155
C-3	7/27/01	8/8/01	12	(C) \$6,325
C-3	8/3/01	8/8/01	5	(C) \$4,850

C-3	8/24/01	8/28/01	4	(C) \$4,730
21-day Pre-Primary C-4	8/28/01	9/7/01	10	(C) \$4,730 (E) \$1,500
C-3	8/31/01	9/7/01	7	(C) \$10,000
7-day Pre-Primary C-4	9/11/01	10/30/01	49	(C) \$10,000 (E) \$37,571
C-3	9/21/01	9/28/01	7	(C) \$4,056
C-3	10/5/01	10/8/01	3	(C) \$850
C-3 Report	10/26/01	11/6/01	11	(C) \$25,030
7-day Pre-General C-4	10/30/01	11/19/01	20	(C) \$25,030 (E) \$17,372
C-3 Report	12/10/01	3/19/02	99	(C) \$13,290
Post Election C-4	12/10/01	3/19/02	99	(C) \$13,290 (E) \$8,839
C-3 Report	3/10/02	3/19/02	9	(C) \$180
February 2002 C-4	3/10/02	3/19/02	9	(C) \$180 (E) \$13,956

10. The late filed reports totaled \$97,114 in contributions received and \$90,983 in expenditures incurred.

11. For May 2001, June 2001, and 21 Day pre-primary C-4 reports, Ms. Davis signed them in a timely manner. However, the reports were filed late by her treasurer.

12. The 7 day pre-primary C-4 report, due on September 11, 2001, was signed by Ms. Davis on September 15 (4 days after it was due) but not filed by Mr. Kiehle until October 30.

13. The 7-day pre-general C-4 report, due on October 30, 2001, was signed by Ms. Davis on November 4 (5 days after it was due and the Sunday before the election), but it was not filed by Mr. Kiehle until November 19.

- Loans

14. The loan repayment limit for candidate loans in 2001 was \$3,800 for each of the primary and general elections.

15. Ms. Davis loaned her campaign \$5,000 for the primary election.

16. Ms. Davis loaned her campaign \$18,000 for the general election.

17. On March 19, 2002, Mr. Kiehle issued Ms. Davis a cashier's check in the amount of \$13,654 and closed the 2001 campaign bank account. Ms. Davis' PDC filings reflect a loan repayment to Ms. Davis in the amount of \$13,655 at the time the campaign bank account was closed.

18. The loan repayment amount equals \$5,000 for the primary loan and \$8,654 for the general election loan for a total of \$13,654.

19. The \$5,000 loan repayment for the primary election loan exceeded the limit by \$1,200.

20. The \$8,654 loan repayment for the general election loan exceeded the limit by \$4,854.

21. The total excess loan repayment was \$6,054.

22. Ms. Davis cooperated fully with PDC staff during the investigation of the Complaint.

### III. VIOLATIONS

The parties hereto stipulate to the following violations:


1. Patricia Davis committed multiple violations of RCW 42.17.080 and .090 for failing to timely and accurately file reports of contributions and expenditures as outlined in the dates above.



2. Patricia Davis committed multiple violations of RCW 42.17.125 when she exceeded the loan repayment limits for the 2001 primary and general elections.

STIPULATED TO AND DATED this 30th day of November, 2005.


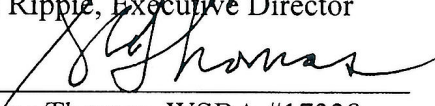
  
VICKI RIPPİE, Executive Director  
Public Disclosure Commission

  
SUZANNE THOMAS  
Attorney for Respondent Patricia Davis

#### IV. PENALTY

Based on the foregoing stipulations, the parties agree that the following penalty is appropriate:

1. A civil penalty in the amount of \$7,500 due and payable within 120 days of the entry of the Final Order in this matter.
2. Ms. Davis will repay her 2001 campaign the amount of \$6,054 payable at the rate of \$500 per month for 12 months commencing January 1, 2006 until paid in full.

  
Vicki Rippie, Executive Director  
  
Suzanne Thomas, WSBA #17338  
Attorney for Respondent

11/30/05  
Date Signed  
11/30/05  
Date Signed